

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KENT GARVEY, ALBERT OVERHAUSER,
JAMES T. MARSH, AND THOMAS
LOVELESS, ON BEHALF OF THEMSELVES
AND ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

JAMES ARKOOSH AND DIOMED
HOLDINGS, INC.,

Defendants.

Master File No. 1:04-cv-10438 (RGS)

Declaration of Laurence Rosen, Esq. In Support
of Request of Judicial Notice –Opposition to
Motion To Dismiss

I, Laurence M. Rosen, hereby declare under penalty of perjury:

1. I am a member of The Rosen Law Firm P.A., Lead Counsel in this action. I make this declaration based upon my own personal knowledge and in support of Lead Plaintiffs Memorandum in Opposition to the Motion to Dismiss the Amended Complaint.

2. Attached hereto is a true and correct copy of the daily stock trading data for Diomed Holdings, Inc. that I obtained from Wallstreetcity.com for the period from February 14, 2002 through March 22, 2002.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2004, at New York, New York.



Laurence M. Rosen, Esq.